

### REMARKS

A Power of Attorney is being filed concurrently herewith. Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 1-17 were pending in this Application. In the Office Action mailed October 18, 2005:

- The drawings were objected to as failing to comply with 37 C.F.R. § 1.84(p)(4), because of the use of different reference characters to designate the same element in figure 4;
- The drawings were objected to as failing to comply with 37 C.F.R. § 1.84(p)(5), because of the failure to mention reference character 143.
- The title of the invention was required because the current title was deemed not descriptive;
- Claims 1 and 6-14 were rejected under 35 U.S.C. §102(e) as being anticipated by WO 00/70811 ("Haartsen") , which was provided by the Applicant and claims priority to an application filed in the US on May 17, 1999. Claims 1 and 16 were rejected under 35 U.S.C. §102(e) as being anticipated by WO 95/34960 ("Pandula"), which was supplied by the Applicant as well;
- Claim 2 was rejected under 35 U.S.C. §103(a) as being unpatentable over Pandula;

- Claims 3-5, 15 and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Haartsen in view of U.S. Patent No. 5,371,734 to Fischer ("Fischer").

In this Amendment, regarding Figure 6, the second paragraph of page 13 of the specification has been amended to include reference number 143. Regarding Figure 4, the final paragraph of page 10 has been amended to change reference number 116 to 216.

The title has been amended to better describe the invention.

Claims 15 and 16 have been amended to clarify the invention. Claims 11-13, and 17 have been amended to correct typographical errors. Accordingly, upon entry of this amendment, claims 1-17 will be pending.

Independent claims 1, 10, 11, 13, 15, 16, and 17 of the present Application as amended herein recite, among other elements, a frequency hopping data frame that is characterized by a primary data period and a redundant data period. The primary data period can include a primary transmit period (claims 11, 13, and 15) a primary receive period (claim 10, 16, and 17) or both a primary transmit and receive period (claim 1). Each primary data transmission period includes digital data that was not previously transmitted. Similarly, each primary data receive includes digital data that was not previously received. The redundant data period recited in claim 1 includes digital data that was previously transmitted at a different frequency ("where the second block of digital data was previously transmitted at a different carrier frequency") in the primary period ("during the primary data transmission period of the prior data frame").

Haartsen discloses a method for transmission of data over a first link and second link in a frequency hopping system (Abstract). For example, Fig. 5A of Haartsen discloses that a segment of a voice stream 420 can be sent in link 422 and again in link 423. Haartsen, however, falls far short of reciting the above elements of claims 1, 10, 11, and 13. As a first matter, nowhere does Haarsten teach a time division duplex frame wherein each frame comprises primary and redundant transmission periods, as well as primary and redundant receive periods. In fact, Haartsen discloses timeslots used for redundant transmission (for example timeslots 407, 411 of Fig. 5A), wherein the timeslots are at *different frequencies* (page 11, lines 10-12). Accordingly, the timeslots 407, 411 are not part of the same data frame. This is in contrast to the present invention, wherein the primary and redundant periods (timeslots) as well as primary and secondary receive periods are within a single data frame (and therefore frequency) (see Figures 2 and 4 of the present Application).

Further, Haarsten fails to disclose the time division duplex frame of claim 1 of this Application, wherein a redundant data period within a frame contains data that was previously transmitted in a primary period of a previous frame. Accordingly, Applicants respectfully submit that claims 1, 10, 11, and 13 of this Application is not anticipated by Haartsen under 35 U.S.C. §102(e).

Pandula discloses redundantly transmitting digitized data over multiple frequencies (Abstract). In particular, Pandula teaches sequentially transmitting a "block" of data (B1) four times, followed by sequentially transmitting a second block of data (B2) four times (Figure 4 and page 13, lines 7-18). As with Haartsen, Pandula fails to teach the features claimed in claims 1

and 16 of this Application, wherein a time division duplex frame (by necessity defined at a same frequency) contains a primary data period containing a first "block" of data, and a redundant data period containing a second "block" of data. Pandula merely discloses that a block of data is transmitted at different times and different frequencies. Pandula additionally fails to teach the recited feature of claim 1 of this Application, wherein a redundant period of a frame includes data previously transmitted in a primary period of a previous frame. Accordingly, Applicants respectfully submit that claims 1 and 16 of this Application are not anticipated by Pandula under 35 U.S.C. §102(b).

Although Fischer discloses a communicator that can power down circuitry, Fischer fails to teach or suggest a data frame having primary and redundant periods, as recited in the independent claims of this Application. Accordingly, at least for the reasons cited above, the combination of Haartsen and Fischer do not teach or suggest all the elements of independent claims 15 and 17. Accordingly, Applicants respectfully submit that claims 15 and 17 of this Application are patentable over Haartsen in view of Fischer.

In addition, at least for their dependence on allowable claims, dependent claims 2-9, 12 and 14 should be in allowable condition.

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Attorney's Docket No.: VTX0053-US (518833-0000255)  
Page 15

In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

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Respectfully submitted,

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